

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: PHILYAW, Jeffrey Jovan  
Serial No.: 10/791,678  
Confirmation No.: 2622  
Filed: March 2, 2004  
Group: 2141  
Examiner: COULTER, Kenneth R.  
For: METHOD AND APPARATUS FOR ACCESSING A REMOTE  
LOCATION BY SENSING A MACHINE-RESOLVABLE CODE

**Mail Stop: PATENT APPEAL CENTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUBMISSION OF CORRECTION  
OF APPEAL BRIEF UNDER 37 CFR 41.37(d)**

Pursuant to the requirements of the Notification of Non-Compliant Appeal Brief mailed on February 20, 2009, Applicant encloses herewith a Substitute Appeal Brief for correction of the Appeal Brief previously submitted on November 21, 2008. The following errors have been corrected:

1. In Section V, the footnotes have been corrected to reference the Specification by page and line numbers;
2. In the section entitled, "Appendices," the Non-Entered Amendment After Final dated April 21, 2008, has been removed;
3. In Section IV, the words, "but which is attached hereto as **EXHIBIT C**," have

been deleted; and

4. In the Evidence Appendix, the Non-Entered Amendment After Final dated April 21, 2008, has been removed.

Applicant believes no fee is due; however, please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/RPXC-26,664 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,  
HOWISON & ARNOTT, L.L.P.  
Attorneys for Applicant

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March 13, 2009